

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1703 of 1991

with

SPECIAL CIVIL APPLICATION No 1774/91, 1775/91, 1776/91

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

KIRITKUMAR N SHAH

Versus

AD DESAI

Appearance:

None present for petitioners

MR MA BUKHARI FOR RESPONDENT No.1

None present for other respondents.

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 27/07/2000

ORAL JUDGEMENT

#. In all these four petitions, the petitioners are common and the order challenged is also same, i.e. annexure-A dated 22.2.91, under which the respondent No.1 constituted Board of Directors of Shri Damanganga Khand Udyog Mandali Limited, Vapi, for five years or till further orders.

#. This order has not been stayed by this court for the reason that by that time, the order had been operated. Further, the persons nominated in the Board of Directors are working from the date of their nomination, can not be nonseated. Now more than five years' period has passed and the petitioners have not brought the subsequent developments which have taken place on the record of this special civil application. There are all possibilities that now these nominated members may not be there on the Board of Directors. It is true that the order was for five years or till further orders but after five years four years more have also gone. In view of this fact, I do not find it to be a fit case where interference has to be made in the order impugned in this special civil application. Still, in case, the petitioner feels that grievances made in the petitions survive, he is free to file representation to the respondent No.1 and if such a representation is filed, the respondent No.1 shall decide the same within a period of one month from the date of receipt thereof by passing a reasoned order. Liberty is granted to the petitioner for revival of this special civil application in case of difficulty. The special civil applications and Rule therein stand disposed of accordingly with no order as to costs.

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(sunil)